

# Proposed 2014 Civil Penalties and Liquor Licensing Update

TXT-51727 - TEXT AMENDMENT - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to update the City's Alcoholic Beverage Licensing Regulations by Increasing the Possible Civil Penalties for Violation of the Municipal Code or Alcoholic Beverage License Conditions, adding the Ability for the Director to Suspend Licenses under Certain Circumstances, Adding Certain Definitions to the Municipal Code, Adding Restrictions on the Sale, Packaging and Advertising of Alcoholic Beverages by Package Liquor and Tavern Licensees, adding New Restrictions on the Sale of Alcoholic Beverages upon Pedestrian Malls, Regulating the Consumption of Alcoholic Beverages upon the Pedestrian Mall, Clarifying Existing Regulations and Adding Restrictions on the Sale of Alcoholic Beverages when Minors are Present at an Establishment Licensed to Sell Alcoholic Beverages, adding New Regulations Regarding Nightclubs and Clarifying how Licensing Fees are Calculated on Alcohol Sales at a Restaurant.

## Contents:

- Draft of the proposed ordinance

## Please note:

**[abc]**

bracketed text reflects a deletion

**abc**

underlined text reflects an addition

Where language indicates that a new Code section is to be added, all provisions in that section are new, although in some cases it is just a replacement for language repealed in a previous section of the ordinance amendment.

**BILL NO. 2014-**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE TO UPDATE THE CITY'S ALCOHOLIC BEVERAGE LICENSING REGULATIONS BY INCREASING THE POSSIBLE CIVIL PENALTIES FOR VIOLATION OF THE MUNICIPAL CODE OR ALCOHOLIC BEVERAGE LICENSE CONDITIONS, ADDING THE ABILITY FOR THE DIRECTOR TO SUSPEND LICENSES UNDER CERTAIN CIRCUMSTANCES, ADDING CERTAIN DEFINITIONS TO THE MUNICIPAL CODE, ADDING RESTRICTIONS ON THE SALE, PACKAGING AND ADVERTISING OF ALCOHOLIC BEVERAGES BY PACKAGE LIQUOR AND TAVERN LICENSEES, ADDING NEW RESTRICTIONS ON THE SALE OF ALCOHOLIC BEVERAGES UPON PEDESTRIAN MALLS, REGULATING THE CONSUMPTION OF ALCOHOLIC BEVERAGES UPON THE PEDESTRIAN MALL, CLARIFYING EXISTING REGULATIONS AND ADDING RESTRICTIONS ON THE SALE OF ALCOHOLIC BEVERAGES WHEN MINORS ARE PRESENT AT AN ESTABLISHMENT LICENSED TO SELL ALCOHOLIC BEVERAGES, ADDING NEW REGULATIONS REGARDING NIGHTCLUBS AND CLARIFYING HOW LICENSING FEES ARE CALCULATED ON ALCOHOL SALES AT A RESTAURANT, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored / Proposed by:

Summary: Updates the City's Alcoholic Beverage Licensing Regulations by Increasing the Possible Civil Penalties for Violation of the Municipal Code or Alcoholic Beverage License Conditions, adding the Ability for the Director to Suspend Licenses under Certain Circumstances, Adding Certain Definitions to the Municipal Code, Adding Restrictions on the Sale, Packaging and Advertising of Alcoholic Beverages by Package Liquor and Tavern Licensees, adding New Restrictions on the Sale of Alcoholic Beverages upon Pedestrian Malls, Regulating the Consumption of Alcoholic Beverages upon the Pedestrian Mall, Clarifying Existing Regulations and Adding Restrictions on the Sale of Alcoholic Beverages when Minors are Present at an Establishment Licensed to Sell Alcoholic Beverages, adding New Regulations Regarding Nightclubs and Clarifying how Licensing Fees are Calculated on Alcohol Sales at a Restaurant.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 6, Chapter 2, Section 460, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

**6.02.460:** (A) The civil fines for violations that are processed under the provisions of LVMC

6.02.390 to 6.02.460, inclusive, are as follows:

(1) For violation of ordinances governing any license issued pursuant to Title 6.02 including the provisions of 6.06A, 6.06B, 6.12, 6.14, 6.16, 6.18, 6.35, 6.36, 6.40, 6.47, 6.50, 6.51, 6.52, 6.53, 6.50, 6.57, 6.60, 6.69, 6.74, 6.80 and 6.84.

(a) For the first offense, five hundred dollars.

(b) For a subsequent offense, one thousand dollars

(c) For the third offense, by a fine of not more than two thousand and by suspension of the license pending a show cause hearing before the City Council.

(2) For violation of any other Ordinance of Title 6 or violations of Code assigned to the Planning Department for enforcement, the civil fines for violations that are processed under the provisions of LVMC 6.02.390 to 6.02.460, inclusive, are as follows:

[(1)] (3) For a first offense, two hundred fifty dollars.

[(2)] (4) For a subsequent offense, five hundred dollars.

(B) In connection with any violation sustained or confirmed by judgment of a Hearing Officer, a separate fine may be assessed for each day the violation occurred or continued to the extent the violation on that day was alleged in the Notice of Violation.

(C) Upon the confirmation by the Hearing Officer of third violation of paragraph (1); , the Director may cite the licensee to appear before the city council to show cause why the license should not be suspended, revoked, or not renewed. At or before the hearing, written charges shall be made against said licensee specifying therein the facts which form the basis of the charges. As such hearing, or any adjournment thereof, the licensee may present a reasonable number of witnesses, and such other evidence may be produced as may be relevant for the consideration by the Council. It shall be the sole burden of the licensee to present evidence to the Council as to why the Council should not take further action. After the hearing by the Council, the Council may then grant, deny suspend, revoke, limit or condition the license as it deems proper and may levy additional civil penalties. The Council may, after the hearing, grant a limited license, for period to be determined by the council in hardship cases, provided, that the licensee shall have

1 shown due diligence in attempting to correct such non-compliance, unsafe condition or moved to an  
2 approved location, and provided, further, that such licensee shall furnish liability insurance to hold the city  
3 harmless in an amount to be determined by the board and shall post a bond for all fines, penalties and the  
4 cost of staff enforcement.

5 A suspension, revocation or nonrenewal of a business license shall be ordered only by a majority  
6 vote of the members of the board present at the time when such matter was considered.

7 The board may, after the hearing, grant a limited license, for a period to be determined by the board  
8 in hardship cases, provided, that the licensee shall have shown due diligence in attempting to correct such  
9 non-compliance, unsafe condition or moved to an approved location, and provided, further, that such  
10 licensee shall furnish liability insurance to hold the county harmless in an amount to be determined by the  
11 board.

12 A suspension, revocation or nonrenewal of a business license shall be ordered only by a majority  
13 vote of the members of the board present at the time when such matter was considered.

14 (D) The director may temporarily suspend any license for unsafe practices by the  
15 business, unsafe buildings, or failure to comply with public safety inspections and investigations. The  
16 director's suspension will be in force until a hearing is held at the next board of county commissioners  
17 meeting.

18 SECTION 2: Title 6, Chapter 50, Section 020, of the Municipal Code of the City of Las  
19 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.50.20:** Unless the context otherwise requires, the scope of all words in this Chapter shall be  
21 liberally construed in order to effectuate the purpose of this Chapter, and, in particular, the following words  
22 shall have the meaning ascribed to them as follows:

23 “Adult” means, for the purposes of this Chapter, a natural person over the age of twenty-one years.

24 “Alcoholic beverage” includes alcohol, spirits, liquor, wine and beer, and every liquid or solid which  
25 contains alcohol, spirits, liquor, wine or beer; and which contains one-half of one percent or more of  
26 alcohol by volume; and which is fit for beverage purposes, either alone or when diluted, mixed or

1 combined with other substances. Any liquid or solid containing beer or wine in combination with any other  
2 alcoholic beverage shall not be construed to be beer or wine.

3 “Alcoholic beverage caterer” means a person who serves, pours or sells alcoholic beverages only for  
4 consumption on the premises where the same are dispensed, served or sold during the times, dates and  
5 places specified by permit.

6 “Art gallery” means a business establishment whose primary business is the display, exhibit and sale of fine  
7 art for purchase by the general public. For the purpose of this definition, “fine art” means:

8 (1) A work of visual art such as a painting, sculpture, drawing, mosaic or photograph;

9 (2) A work of written art, such as calligraphy;

10 (3) A work of graphic art, such as an etching, a lithograph, an offset print, a silkscreen, or any  
11 other work of like nature;

12 (4) A work in craft materials, including, but not limited to, clay, textile, wood, metal, plastic or  
13 glass; or

14 (5) A work in mixed media, which is a work that is any combination of the art media set forth  
15 in this definition.

16 “Banquet or event establishment” means any establishment which is rented by individuals or groups to  
17 accommodate events such as banquets, weddings, anniversaries and other similar assemblages. Such  
18 establishment may or may not include:

19 (1) Kitchen facilities for the preparation or catering of food.

20 (2) Outdoor gardens or reception facilities.

21 “Bar” means a physical structure from which alcoholic beverages are poured or served by the drink to  
22 patrons or where alcoholic beverages are maintained for pouring or service to patrons. The structure may be  
23 permanent or temporary.

24 “Beer” means any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley,  
25 malt, hops or similar product, or any combination thereof, in water.

26 “Beneficial owner” means a person who possesses a lease or other evidence of possessory property rights

1 for the premises for which a license is sought for the full period for which the license is to be used.

2 “Bowling facility” is any business providing a place to engage in the sport of bowling with at least 40  
3 bowling lanes that may also operate, but are not limited to, restaurants, take-out food facilities, lounges,  
4 arcade areas, a pro-shop offering the sales and service of bowling equipment and clothing, and may be  
5 licensed for the retail sale of alcoholic liquor pursuant to this chapter. Bowling facilities licensed for the  
6 retail sale of alcoholic liquor must prohibit such alcoholic liquor from the following areas of the facility:  
7 pro-shop, all arcade areas physically separated from all bars and/or lounges, and any take-out food  
8 facilities. It is permissible for a licensee to serve alcoholic beverages to adult patrons over the age of  
9 twenty-one at the bowling lanes and other non-prohibited areas within the facility, including when minors  
10 are present without serving food.

11 “Cider” means an alcoholic beverage made from the fermentation of fruit juice that contains not less than  
12 one-half of one percent and not more than eight percent of alcohol by volume.

13 “Cinema” means a licensed theatre with a minimum combined permanent seating in theatres in excess of  
14 two thousand seven hundred fifty seats at all times within the entire facility which also holds a valid  
15 alcoholic beverage license.

16 “Commercial center” means a concentration of retail stores that:

- 17 (1) Contains at least eighty thousand square feet of retail space enclosed within a building or  
18 buildings;  
19 (2) Contains at least one anchor retail store of at least twenty thousand square feet;  
20 (3) Includes a parking lot common to the retail stores; and  
21 (4) Is situated on at least fifteen gross acres of land.

22 “Container,” except as the context otherwise requires, means a receptacle provided by an establishment (or  
23 otherwise) from which alcoholic beverages are consumed on the premises of the establishment.

24 “Convenience store” means a retail establishment other than a drugstore, which:

- 25 (1) Offers for sale prepackaged food products, household items and other goods commonly  
26 associated with those products and items, and maintains more than fifty-one percent of its gross retail floor

1 area dedicated to such products and items, provided that not more than ten percent of its gross retail floor  
2 area is devoted to alcoholic beverages; and

3 (2) Contains not less than one thousand two hundred square feet, nor more than five thousand  
4 square feet of floor space devoted to retail sales display, exclusive of warehouse and office areas.

5 “Convention center” means a structure which has at least one hundred thousand square feet of floor space  
6 utilized for scheduling, hosting or accommodating a convention, trade show or temporary event, whether  
7 the activity is open or closed to the general public. For purposes of this Chapter, the term includes a  
8 stadium facility that may be operated in conjunction with a convention center, but does not include a  
9 permanent trade show facility.

10 “Cooler” means any prebottled alcoholic beverage, other than beer or wine, that is a distillate obtained from  
11 the fermentation of the natural contents of fruits or other agricultural products containing natural or added  
12 sugar, which contains not more than ten percent of alcohol by volume.

13 “Cultural establishment” means a facility which charges a fee for admission and is dedicated to performing  
14 arts, history or education and where food is provided in a concession space. The facility must contain at  
15 least one of the following:

16 (1) At least two thousand seats in a theater-style setting;

17 (2) Indoor exhibit space of twenty thousand square feet; or

18 (3) Outdoor exhibit space of at least fifty acres.

19 “Downtown Centennial Plan overlay district” has the meaning and boundaries as described at LVMC  
20 19.10.110.

21 “Downtown entertainment overlay district” has the meaning and boundaries as described at LVMC  
22 19.10.120.

23 “Drugstore” means a business establishment which occupies the entire business premises of a building, or a  
24 portion of the business premises of a building which is segregated physically or spatially from the rest of  
25 the business premises, where a State licensed pharmacist is present at all times the pharmacy operation is  
26 open for the purpose of compounding or dispensing, or both compounding and dispensing of drugs and

1 medicines, and where a grill and fountain service is permitted as well as the retail sales of sundries,  
2 including stationery, magazines, cosmetics and health items.

3 “Dues” means fees paid on a monthly, quarterly, semiannual or annual basis for the right to participate in  
4 the planning of activities and the utilization of services offered by a nonprofit corporation, association or  
5 organization. The term “dues” does not include fees paid for the purchase of drinks, meals or other services  
6 offered by a nonprofit corporation, association or organization.

7 “General retail store” means a business established for the retail sale of general merchandise in excess of  
8 five thousand square feet of floor space devoted for the sale of multiple line products provided that not  
9 more than ten percent of its gross retail floor area is devoted to alcoholic beverages, unless otherwise  
10 specified by a land use approval or permitted by condition on the alcoholic beverage license.

11 “Gift shop, resort hotel leased” means a discrete area within a resort hotel, owned and operated by a person  
12 other than the owner of the resort hotel, that sells clothing and miscellaneous sundries appropriate as gifts,  
13 as well as other items, including, but not limited to newspapers, magazines, and foodstuffs. A resort hotel  
14 leased gift shop may only sell alcoholic beverages upon the receipt of a valid, unexpired alcoholic beverage  
15 license by the operator of the gift shop.

16 “Gift shop, resort hotel owned” means a discrete area within a resort hotel, owned and operated by the  
17 resort hotel, that sells clothing and miscellaneous sundries appropriate as gifts, as well as other items,  
18 including, but not limited to newspapers, magazines, and foodstuffs. A resort hotel owned gift shop may  
19 sell alcoholic beverages without having to obtain a separate package license if the resort hotel is authorized  
20 to sell alcoholic beverages pursuant to a tavern license and the floor area for the display of alcoholic  
21 beverages does not exceed fifty square feet.

22 “Golf course” means any links consisting of at least eighteen holes which have been certified by the United  
23 States Golf Association for individual and group play and which provide a variety of golf facilities,  
24 including, but not limited to at least one or more of the following: a driving range, golf lessons, motorized  
25 golf carts; a professional golf shop or a clubhouse. Each golf cart that maintains alcoholic beverages for  
26 pouring or service to patrons of a golf course, or is used to serve or pour alcoholic beverages to patrons of a



1 golf course is considered to be a separate bar for purposes of this Chapter. Miniature golf and/or putting  
2 course facilities and electronically simulated golf courses are not to be considered golf courses for purposes  
3 of this definition.

4 “Groceries” means staple food stuffs, dairy products, meats and produce meant for human consumption;  
5 articles used in the preparation of food; and household supplies.

6 “Grocery store” means a business establishment which occupies all of the business premises of a building  
7 or a portion of the business premises of a building which is segregated physically or spatially from the rest  
8 of the business premises, and which contains more than five thousand square feet of floor space for the  
9 display and sale of groceries and alcoholic beverages, exclusive of warehouse and office space. The term  
10 does not include an establishment in which more than thirty percent of the gross retail floor area of the  
11 establishment premises consists of alcoholic beverages.

12 “Hotel” means, for purposes of this Chapter, a “resort hotel” as defined by LVMC Chapter 6.40.020(F),  
13 except when the term is used in conjunction with a specific term which lists the number of rooms required.

14 A “hotel,” if not a “resort hotel,” contains not less than one hundred fifty guest rooms in a single or  
15 connected structure, access to which is controlled through a foyer and hallways; provides rooms which are  
16 let or hired out only to transient guests on a day-to-day basis; and does not provide for cooking in  
17 individual rooms or suites.

18 “Hotel lounge bar” means a bar located in a lounge area of a hotel where alcoholic beverages are sold for  
19 consumption in specified areas only.

20 “Individual access” means the provision of a secured cabinet or refrigerator with alcoholic beverages,  
21 access to which is controlled by an adult.

22 “Key employee” means an employee designated by a business licensee to oversee the operations of the  
23 business in the absence of the licensee.

24 “Liquor by the Drink” means a serving of beer, wine, or drink containing an alcohol beverage that is  
25 poured or packaged for single serving individual consumption.

26 “Liquor store” means a specialty retail store which does not allow entry to minors (except as provided for

1 in LVMC 6.50.170) and which deals exclusively in alcoholic beverages and related items including  
2 magazines, newspapers and packaged snack foods.

3 “Lounge” means a room or designated area wherein alcohol is served or poured from a licensed liquor  
4 service area to patrons where food is not served or is incidental to its operation and may contain an  
5 informal setting of tables, booths or easy chairs, and into which room or designated area minors are not  
6 permitted entry. Such room or area must be separated and segregated with a barrier and signage sufficient  
7 to preclude minors from entry.

8 “Malt beverage” means beer, ale, porter, stout and other similar fermented beverages of any name or  
9 description, brewed or produced from malt, wholly or in part.

10 “Meal” means an assortment of food listed on a menu which must include entrees, appetizers, side items  
11 and desserts available for purchase at various hours of the day.

12 “Minor” means, for the purposes of this Chapter, a natural person under the age of twenty-one years.

13 “Museum” means a facility with no less than fifteen thousand square feet of exhibit space open to the  
14 general public where a fee is charged for admission and the primary purpose of such facility is the  
15 acquisition, preservation, study and exhibition of items of artistic, historic or scientific value.

16 “Nightclub” means an establishment which provides live entertainment (music, karaoke, and/or dancing.  
17 Comedy, etc.) in conjunction with alcoholic beverage sales which is generally operated primarily in the  
18 late-evening/early morning hours, and whose activities may include the operation of Bars, Lounges,  
19 Saloon, admission fees, dancehall, entertainment as defined in 6.50.520 or food operations with a dance  
20 floor or entertainment space in excess of 50 square feet.

21 “Nonprofit club” means any nonprofit corporation, association or organization which has been in continual  
22 existence for at least two years prior to applying for a license under this Chapter, and:

- 23 (1) Is organized or qualified to do business and operate under the laws of the State;  
24 (2) Has tax-exempt status granted by the United States Internal Revenue Service;  
25 (3) Maintains a membership of at least one hundred active members who are residents of  
26 Southern Nevada, who are twenty-one years of age or older and who pay dues to the nonprofit corporation,

1 association, or organization; and

2 (4) Operates a clubhouse, clubroom or meeting room in a permanent location which it owns or  
3 leases.

4 “Off-sale” means the sale of alcoholic beverages in original sealed or corked containers for consumption  
5 off the premises where the same are sold.

6 “On-sale” means the sale of alcoholic beverages for consumption on the premises where the same are sold.

7 “Pedestrian mall” means an area designated in LVMC Chapter 11.68.

8 “Permanent trade show” means an event held at a permanent trade show facility where products, goods or  
9 wares are displayed for the purpose of exhibitors demonstrating and soliciting orders for the wholesale of  
10 or offering for wholesale of such products, goods or wares exclusively to members of a specific industry or  
11 industries.

12 “Permanent trade show facility” means a parcel or contiguous parcels of land with one or more buildings  
13 located thereon consisting of a minimum of two hundred fifty thousand square feet of floor space that is  
14 designed and intended primarily to conduct one or more permanent trade shows annually, at which  
15 members of the general public are not admitted. A “permanent trade show facility” may also be used for  
16 events to which the general public is invited.

17 “Public Event” means any event which is advertised for access to the general public through electronic or  
18 print sources to which an observer of the advertisement may purchase or obtain a ticket or pay for access to  
19 the facility is considered an event open to the public.

20 “Restaurant” means a place which is regularly and in a bona fide manner used and kept open for the service  
21 of meals to guests for compensation; and which has suitable kitchen facilities connected therewith,  
22 containing conveniences for cooking an assortment of foods which may be required for ordinary meals.

23 “Restaurant service bar” means a bar wherein alcoholic beverage drinks are prepared for service only at  
24 tables in a restaurant for consumption only in connection with a meal on the premises where the same is  
25 sold.

26 “Restaurant with alcohol” means a restaurant advertised and/or held out to the public to be a place where

1 the primary business is to serve meals and has meals available for service at tables or booths during all  
2 times that the business is open. Alcoholic beverages may be served to adult patrons throughout the  
3 premises of a restaurant with alcohol, and adults accompanying a minor into the restaurant portion of the  
4 business may only be served alcohol in conjunction with meals at dining tables or booths.

5 “Sale” means the act of selling and, in connection therewith, “sell” means, for compensation or any other  
6 private or public business purpose at a commercial location, to sell, serve, give away, or distribute; or to  
7 cause or permit to be sold, served, given away or distributed or to possess with the intent to sell, serve,  
8 permit consumption, give away or distribute; or to solicit or receive orders to sell, serve, give away or  
9 distribute.

10 “Specialty drink” means a singular variety of a themed alcoholic drink that represents the culture or  
11 ethnicity of the establishment; must be consistent with the ambiance, decór, and menu offerings of the  
12 restaurant; and must be served in open containers for consumption only on the licensed premises of the  
13 establishment. A drink does not qualify as a “specialty drink” unless it is available for consumption only  
14 when the kitchen or food preparation area is open and operating. A specialty drink must be able to be  
15 identified and described, in writing, by any applicant for a license that requires the sale or service of a  
16 specialty drink and must describe how the drink qualifies for classification as a specialty drink.

17 “Temporary bar” means any bar, table, kiosk, cart or stand that is not a permanent fixture and can be  
18 moved from place to place and is considered a bar for fee assessment;

19 “Themed establishment” means an establishment that is designed and operated so as to evoke a particular  
20 culture, ethnicity, historical or fictional period, that represents such unique theme through one or more of  
21 the following attributes: entertainment, activity, music, ambiance, decor, signage, cuisine, specialty drink  
22 offerings or the costuming of staff.

23 “Wedding chapel” means a business establishment that performs marriages in accordance with State law.

24 “Wholesale dealer” or “wholesaler” means a person who sells alcoholic beverages for the purposes of  
25 resale.

26 “Wine” means any alcoholic beverage, other than beer, obtained by the fermentation of the natural contents

1 of fruits or other agricultural products containing natural or added sugar, which contains not more than  
2 twenty-two percent of alcohol by volume.

3 SECTION 3: Title 6, Chapter 50, Section 170, of the Municipal Code of the City of Las  
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **6.50.170:** (A) A package license authorizes the sale, to consumers only and not for resale, of  
6 alcoholic beverages, in original sealed or corked containers, for consumption off the premises where the  
7 same are sold. In addition, a liquor store that holds a package license may provide on-premises wine, beer,  
8 cordial and liqueur tasting, but only if the licensee also holds an ancillary license for such location.

9 (B) A package licensee that is not a liquor store or grocery store:

10 (1) may not advertise any alcoholic beverage or the price of any alcoholic  
11 beverage on the outside of their establishment.

12 (2) may only advertise alcoholic beverages without any pricing information on  
13 signage approved per Title 19.

14 (3) may not locate any display of alcoholic beverages within 10 feet of any  
15 entrance or exit of the authorized establishment.

16 (4) Square footage devoted to the display of alcoholic beverages is limited to  
17 the area authorized by the land use entitlement; or 10% of its gross retail floor area devoted to alcoholic  
18 beverages.

19 [(B)] (C) Nothing in this Chapter prohibits a minor from entering or  
20 remaining in a liquor store that holds a package license as long as the minor is continuously accompanied  
21 by the minor's parent or legal guardian.

22 [(C)] (D) Nothing in this Section prohibits the holder of a package license  
23 from dispensing beer or cider in a container sold or provided by a licensee, or a sanitary container provided  
24 by the customer, with a maximum capacity which does not exceed one gallon subject to the following  
25 conditions:

26 (1) The licensee or the licensee's employee fills the container at the time of

1 sale;

2 (2) The container is sealed with a plastic adhesive or tamper-evident seal;  
3 [and]

4 (3) The beer or cider is not consumed on the licensee's premises[.] (and)

5 (4) The licensee is not located upon or directly adjacent to the pedestrian mall.

6 (E) A package licensee located directly adjacent to or on a pedestrian mall shall not  
7 sell any alcoholic beverages between the hours of seven p.m. and six a.m. the following day.

8 SECTION 4: Title 6, Chapter 50, Section 240, of the Municipal Code of the City of Las  
9 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **6.50.240:** A tavern license authorizes the sale of alcoholic beverages for consumption on the  
11 premises where the same are sold, and authorizes the sale, to consumers only and not for resale, of  
12 alcoholic beverages, in original sealed or corked containers from a bar only, for consumption off the  
13 premises where the same are sold. A tavern licensee may not display or advertise liquor for off-sale, and  
14 any sales must be incidental to the on-premise sale and consumption of alcoholic beverages. Any  
15 alcoholic beverages not in sealed or corked containers intended for off-sale must meet the requirements of  
16 6.50.XXX. (See Section 7 herein)

17 SECTION 5: Title 6, Chapter 50, Section 255, of the Municipal Code of the City of Las  
18 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **6.50.255:** An urban lounge license authorizes the sale of alcoholic beverages for consumption on the  
20 premises where the same are sold only, and the sale, to consumers only and not for resale, of alcoholic  
21 beverages in original sealed or corked containers from a bar only, for consumption off the premises where  
22 the same are sold. An urban lounge license may be issued only at a location:

23 (A) Within the boundaries of the Las Vegas Arts District, as described in the  
24 Downtown Centennial Plan and as amended from time to time; and

25 (B) In which, for each seat provided at the bar of the establishment, there must be a  
26 minimum of two seats within a lounge area located away from the bar.

1           (C)    A tavern licensee may not display or advertise liquor for off-sale, and any sales  
2 must be incidental to the on-premise sale and consumption of alcoholic beverages.

3           (D)    Any alcoholic beverages not in sealed or corked containers intended for off-sale  
4 must meet the requirements of 6.50.XXX. (See Section 7 herein)

5           SECTION 6:   Title 6, Chapter 50, Section 410, of the Municipal Code of the City of Las  
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.50.410:**       It is the duty of the licensee and any principal thereof to:

8           (A)    Ensure that a person who is at least twenty-one years of age, who is either an  
9 owner or employee of the licensee and who has a valid work card, [and] health card, and alcohol awareness  
10 card in his or her possession, is present on the premises during all times that the premises are open for  
11 business.

12           (B)    Maintain and make available during the licensee's business hours for inspection by  
13 Metro or the Department a list of all of licensee's current employees by name that are required to have one  
14 or more of the following cards and the corresponding card numbers and expiration date:

15                   (1)    A work card.

16                   (2)    A health card.

17                   (3)    An alcohol awareness card.

18           (C)    The list referenced in Subsection (B) of this Section shall also include, in addition  
19 to the names of current employees, all the names of other persons employed during the previous three  
20 years.

21           (D)    Maintain adequate security to ensure compliance with all codes and regulations,  
22 and provide security for all parking areas, premises and areas over-which the licensee may control by lease  
23 or ownership. The Licensee shall provide security for all events, including events planned and executed by  
24 a licensed Promoter, and shall not allow a licensed promoter any proceeds directly from liquor sales.

25           (E)    Maintain premises and areas over which the licensee may control by lease of  
26 ownership in a clean and decent manner and not knowingly allow activities that endanger the health, safety

1 of patrons or disrupt the neighborhood.

2 (F) Ensure the business activity complies with all land use regulations and conditions  
3 of a license, all regulations of Title 6, 10 and 12; and state laws and regulations.

4 (G) Conduct only activities that are licensed on the premises, and not allow lewd or  
5 adult regulated activities without a specific license to do so.

6 (H) Ensure all employees are properly trained in the regulations of authorized liquor  
7 sales and maintain alcohol awareness cards required by state law, and required health cards or security  
8 certifications.

9 (I) Refuse admittance to anyone under the age of 21 to any lounge or room accessible  
10 to the public and designated for the consumption of alcohol, except in a facility specifically licensed as a  
11 restaurant, a showroom operated by a resort hotel, a cultural establishment, sports area, outdoor  
12 entertainment complex, authorized special event or where allowed by license when alcohol is ancillary to  
13 the primary business and allowed by the laws of the state of Nevada or the Las Vegas Municipal Code.

14 SECTION 7: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,  
15 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section XXX, reading as  
16 follows:

17 **6.50.XXX:** Any person authorized to sell alcoholic beverages pursuant to an off-sale or package  
18 license adjacent to or upon a pedestrian mall shall:

19 (A) Not sell alcohol beverages in a package or display intended for liquor by the drink  
20 consumption on the pedestrian mall, all sealed or corked containers must be in the manufacturers original  
21 configuration intended for re-sale;

22 (B) Not sell alcoholic beverages in any container greater than 32 oz.

23 (C) Not sell any malt or beer beverage with an alcoholic content greater than 8%  
24 alcohol by volume.

25 (D) Not sell alcoholic beverages, except beer or wine in containers less than one pint,  
26 measured in the English system of weights and measures, or in quantities less than three hundred seventy-



1 five milliliters, measured in the metric system of weights and measures.

2 (E) Shall place each alcoholic beverage in a bag or receptacle of a color approved by  
3 the Director and clearly marked in front of at least 36 with the following wording: "This container  
4 CANNOT be consumed on the Fremont Street Experience."

5 (F) Not display any prices for alcoholic beverages or advertise alcoholic beverages or  
6 liquor in outdoor signage, advertising nor advertising visible from the pedestrian mall.

7 (G) Not offer for sale any alcoholic beverage in glass or breakable containers.

8 (H) Not offer for sale any beer or malt liquor in a single serving size 16 ounces.

9 (I) Post a sign no lower than three feet and no higher than seven feet at each sale  
10 counter and at each entrance and exit of the premises that states: "Alcohol purchased at this location  
11 CANNOT be consumed on the Pedestrian Mall." Such signs must:

12 (1) Be yellow with black lettering;

13 (2) At least 14 inches by 20 inches on each display of alcoholic beverages and  
14 at each sale counter in a prominent position. Font size must be a minimum of 72.

15 (3) At least 20 inches by 24 inches on each entrance and exit. Font size must  
16 be a minimum of 72.

17 SECTION 8: Title 6, Chapter 50, Section 285, of the Municipal Code of the City of Las  
18 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **6.50.285:** (A) Notwithstanding any provision in this Chapter to the contrary, the owner of an  
20 establishment adjacent to or within the pedestrian mall that holds a tavern license is authorized to sell  
21 alcoholic beverages through a walk-up window that faces a street alignment within the boundaries of the  
22 pedestrian mall, except for the Casino Center Boulevard and 4th Street alignments. Prior to the placement  
23 or construction of such window, a licensee shall comply with all requirements of the Director, the Building  
24 Official and the Director of Public Works. Such window shall be considered another bar at the  
25 establishment for purposes of this Chapter.

26 (B) Notwithstanding any provision in this Chapter to the contrary, the owner of an

1 establishment licensed to operate nonrestricted gaming that is also authorized to sell alcoholic beverages  
2 upon the premises of that establishment pursuant to a tavern alcoholic beverage license may locate a  
3 temporary or permanent bar upon an adjacent pedestrian mall, provided that such bar is directly adjacent to  
4 the premises of that establishment and upon the pedestrian mall. Prior to the placement or construction of  
5 such bar, a licensee shall comply with all requirements of the Director, the Building Official and the  
6 Director of Public Works.

7 (C) Any owner of an establishment permitted and approved per LVMC 6.50.285 to  
8 operate a portable bar or walk-up window upon the pedestrian mall or within a common consumption area  
9 must:

10 (i) Serve alcoholic beverages only in containers that display and contain the  
11 licensee's trade name or logo or some other mark that is unique to that licensee;

12 (ii) Serve alcoholic beverages in only plastic or similar collapsible containers;

13 (iii) Must and shall ensure that minors and others can be easily distinguished  
14 from persons of legal age buying alcoholic beverages;

15 (iv) Maintain adequate security or participate in an association providing  
16 adequate security to ensure compliance with this Chapter and strictly enforce all the provisions of this code  
17 and state statutes and ensure all activity is conducted in a decent, orderly and respectful manner;

18 (v) Post a sign which clearly state "ALCOHOLIC BEVERAGES SERVED  
19 MUST BE CONSUMED WITHIN DESIGNATED AREA."

20 (D) Notwithstanding any other provision of this Chapter to the contrary, a licensee  
21 authorized to sell alcoholic beverages pursuant to the above may allow persons to leave licensed  
22 establishments located upon the pedestrian mall with an alcoholic beverage and consume such beverages  
23 sold as liquor by the drink within the pedestrian mall.

24 SECTION 9: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,  
25 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section XXX, reading as  
26 follows:

1 **6.50.XXX** (A) No person shall take any alcoholic beverage or alcoholic beverages outside the  
2 boundaries of the pedestrian mall.

3 (B) Signage must be posted at entrances to the common consumption area “ONLY  
4 LIQUOR SOLD AT AUTHORIZED BARS MAY BE CONSUMED ON THESE PREMISES.”

5 (C) Signage must be posted at the exits to the common consumption area that describe  
6 any rules for open containers which exist for areas outside the boundaries of the common consumption  
7 area. Such signs must be approved by the Director.

8 SECTION 10: Title 11, Chapter 68, Section 100, of the Municipal Code of the City of  
9 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **11.68.100:** (A) The following are prohibited within the Pedestrian Mall:

- 11 (1) Parades;  
12 (2) Sleeping or camping;  
13 (3) Littering;  
14 (4) Sexually oriented businesses as described in Section 19.04.040;  
15 (5) Glass and metal beverage containers including, but not limited to, bottles,  
16 jugs, drinking glasses, aluminum cans and steel cans, during the hours of ten a.m. to 11:59 p.m. [on  
17 December 31st, and the hours of twelve a.m. to eight a.m. on January 1st of each year];  
18 (6) Feeding birds; and  
19 (7) Solicitation by coercion, as defined in Section 10.44.010.

20 (B) The following are prohibited within the Pedestrian Mall, except under the  
21 conditions stated:

- 22 (1) Animals, unless used in connection with a mall activity authorized by The  
23 Fremont Street Experience Limited Liability Company or used for the purpose of assisting the visually or  
24 aurally impaired;  
25 (2) Mall vending, special events or other commercial activities, unless such  
26 activities are conducted by or on behalf of The Fremont Street Experience Limited Liability Company;

1 (3) The use of unicycles, bicycles and other types of cycles, skateboards, roller  
2 skates, in-line skates, hula hoops larger than four feet in diameter, and shopping carts, except as authorized  
3 by The Fremont Street Experience Limited Liability Company in connection with special events and mall  
4 entertainment;

5 (4) The placement of any table, rack, chair, box, cloth, stand, booth, container,  
6 structure or other object within the Pedestrian Mall, except:

7 (a) As conducted by or on behalf of The Fremont Street Experience  
8 Limited Liability Company; or

9 (b) As specifically permitted under Sections 11.68.105 and 11.68.107.

10 (5) Amplified sound which originates from within the Pedestrian Mall or from  
11 properties or businesses abutting the boundaries of the Pedestrian Mall, except where conducted by or on  
12 behalf of The Fremont Street Experience Limited Liability Company or as permitted under Section  
13 11.68.107.

14 (6) The launching or throwing of projectiles or other objects into or through  
15 the air, except in connection with events that are conducted by or on behalf of The Fremont Street  
16 Experience Limited Liability Company or are permitted pursuant to Section 11.68.107.

17 (7) Entertainment and related services for which a fee is charged, either before  
18 or after the entertainment and related services are performed, except in connection with events that are  
19 conducted by or on behalf of The Fremont Street Experience Limited Liability Company;

20 (8) The distribution of food, beverage or tobacco items, except in connection  
21 with events that are conducted by or on behalf of The Fremont Street Experience Limited Liability  
22 Company; or

23 (9) Commercial photography, filming or videotaping, except in connection  
24 with events that are conducted by or on behalf of The Fremont Street Experience Limited Liability  
25 Company.

26 (10) The consumption of a packaged, sealed or corked container of alcoholic

1 beverages not sold from an authorized and licensed tavern located upon or directly adjacent to the  
2 pedestrian mall. The Fremont Street Experience Limited Liability Company is responsible to post and  
3 maintain signs at all entrances and exits that “No outside liquor. Only liquor sold at authorized bars may be  
4 consumed on these premises.”

5 SECTION 10: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,  
6 Nevada, 1983 Edition, is hereby amended to add a new section designated as Section 455, reading as  
7 follows:

8 **6.50.455:** No person who holds a license to sell alcoholic beverages by the drink may allow any  
9 minors to be on the licensed premises except as provided herein. This section shall control the presence of  
10 minors on licensed premises at all times, including when alcoholic beverages are not being sold or  
11 consumed.

12 (A) Minors may be on licenses premises when they are accompanied by a parent or  
13 legal guardian, and during times when:

14 (1) No alcoholic beverages are being sold, served, or consumed on any portion  
15 of the licensed premises and the licensee has removed all alcohol and any beer taps or other dispensers are  
16 disconnected, disabled or made inoperable and notice has been provided through a special event permit for  
17 any public event, or a notice has been prominently displayed at all public entrances to the premises  
18 announcing that no alcohol is served or consumed on the premises; and the licensee has given the  
19 Department a 72-hour written notice, including dates and times, that minors will be allowed on the  
20 premises.

21 (2) Where the sale or consumption of alcoholic beverages is occurring or  
22 permitted if the sale or consumption is incidental to the business, or activity conducted on the licensed  
23 premises of the following facilities:

24 (a) Bowling facility;

25 (b) Areas of a resort hotel or hotel that are not designated as a bar,  
26 lounge or gaming area, such as lobbies, resident rooms, showroom; meeting rooms, recreation areas,

1 swimming pools, restaurants and public areas;

2 (c) Areas of amusement parks, arena, convention center, sports arena,  
3 sports complex, golf course, performing arts center or other general on-sale licensed facility that are not  
4 designated or used as bar or lounge areas;

5 (d) Grocery store, convenience store, or drug store;

6 (e) Areas of a cinema that are not designated or used as a bar or  
7 lounge area;

8 (f) Areas of an Outdoor entertainment complex not designated or  
9 used as bar or lounge areas;

10 (g) Permitted public events under the conditions of the permit;

11 (h) Restaurants areas not used as a bar or lounge area;

12 (3) The sale or consumption of alcohol is incidental to a business or activity  
13 only if it subordinate to, and plays a supporting role to, the principal business or activity as evidenced by  
14 alcoholic beverage sales of less than 25% of the total of all gross sales of the establishment, an audit of  
15 activities, and a licensed has been issued with a condition allowing the presence of minors and meets the  
16 ongoing audit of gross sales and comparative incidental audit.

17 (4) Whether sale or consumption is incidental shall be determined by  
18 considering all the facts and circumstances including comparative space used by the activities, revenue  
19 generated by the activities, the promotion given or not given to the activities, and employee time  
20 commitments to the activities and audit by the Director.

21 (5) Minors eighteen years and older may be in areas of a licensed premises  
22 where a live instrumental and/or vocal musical performance open to the public as a public event if the  
23 establishment has been approved for such activity by a condition approved by the City Council and if the  
24 event is permitted by the Director to occur and all of the following conditions are met:

25 (a) Singing along with a recorded music using a microphone and  
26 public address system in which the voice of the original singer is removed or reduced and substituted by the

1 live singer's voice with or without lyrics being displayed to the live singer, commonly known as "karaoke,"  
2 is not a live musical performance within the scope of this subsection;

3 (b) Nightclub activity and dancing or any activities commonly known  
4 as crowd surfing, or dangerous behaviors are not within the scope of this subsection;

5 (c) This subsection does not apply to any licensed premises holding  
6 an erotic dance license pursuant to LVMC 6.35, or any sexually oriented business as defined by Title 19, or  
7 any other dance in which a performer gradually undresses or the display of films, pictures of certain  
8 anatomical areas as defined by LVMC 6.06A; Any performance of any acts of disorderly conduct, or loud  
9 or unusual noises or requiring an amplified sound permit per LVMC 6.67

10 (d) The establishment is not operated in an ongoing basis as a lounge  
11 or provides for the regular service of alcohol to patrons as its primary business;

12 (e) The performance occurs on a stage or other raised designated  
13 performance space constructed with the purpose that it remains permanently installed on the premises,  
14 utilizes an amplified sound system constructed with the purpose that it remain permanently installed on the  
15 premises, and utilizes stage lighting constructed with the purpose that it remain permanently installed on  
16 the premises;

17 (f) Minors are only permitted one hour before, or within one hour  
18 after such public event and only in theatre style seating for such performance; or in a separated and  
19 segregated area with seating where no alcoholic beverages may be consumed, the plan for seating must be  
20 approved by the director;

21 (g) Bar and lounge area(s) are be segregated from patrons under age  
22 21 by means of a barrier;

23 (h) Alcoholic drinks must be served in distinctively different  
24 containers than those in which non-alcoholic drinks are served;

25 (i) No alcoholic beverages are allowed to be brought in or to leave the  
26 designated lounge or bar area, or the premises of the establishment;

1 (j) Restrict entry to any the event to ticket holders only and not allow  
2 any patrons leaving the event to re-enter the facility;

3 (k) Theatre style seating is provided for the viewing of the  
4 performance, unless a separation plan is approved by the Director issued for a permit for a specific  
5 performance;

6 (l) Law enforcement or licensed security registered with the State  
7 Board of Private Investigation is present in numbers as approved by the director, as security guards and  
8 show training in alcohol regulations, and substance abuse enforcement;

9 (m) The establishment maintains A ban-and-bar policy which is posted  
10 and enforced that bans from the premises for a period of no less than one year any person allowing or  
11 assisting a minor to possess alcohol on the premises and which provides that anyone violating the ban will  
12 be prosecuted for trespassing;

13 (n) A detailed security plan is approved by the Director which must  
14 include, but is not limited to:

15 (i) Electronic surveillance methods including camera  
16 locations and viewing and retention schedules for video storage;

17 (ii) Bathroom monitoring security procedures;

18 (iii) Identification and segregation plan for patrons under and  
19 over the age of 21;

20 (iv) Number of law enforcement and licensed security  
21 personnel to maintain a safe and secure environment and prevent access to alcohol by minors. Licensed  
22 security personnel must not be fewer than one professional security person per 100 sold tickets or expected  
23 patrons, whichever is greater;

24 (v) Station locations of security in order to monitor all  
25 entrances, exits, bathrooms, bar areas, stage, seating areas and any allowed standing areas.

26 (vi) Training plan for employees to assess and mitigate



1 security and alcohol related issues and ensure compliance with laws and regulations.

2 (vii) Methods to prohibit alcohol, dangerous or illegal  
3 substances from being admitted to the building.

4 (viii) Signage plan to include the penalty for the purchase or  
5 providing of alcohol for minors, the penalty by consumption of alcohol for minors and the penalties for  
6 misrepresenting the age of a minor.

7 (ix) Dress code and list of any prohibited attire or articles such  
8 as backpacks, packages or purses.

9 (x) Method to prohibit drugs, alcohol and weapons from  
10 entering the facility.

11 (o) Hours: No concert or public event open for ticket sales or to the  
12 public may include patrons subject to a curfew, unless such event is ended, all patrons have exited the  
13 facility and the business closes prior to any established curfew; and all minors under 18 years of age are  
14 accompanied by a parent or legal guardian.

15 (p) Interior Lighting: The interior of the establishment shall be lit  
16 throughout at an intensity of at least two foot-candle during all hours of operation. The lighting may be  
17 reduced only while live entertainment is being presented.

18 (q) All activities shall be conducted entirely within the enclosed  
19 structure, except for the following:

- 20 (i) The checking of patrons' identification  
21 (ii) Valet parking activities;  
22 (iii) The sale of admission tickets for current or future events;  
23 (iv) An orderly line of patrons waiting for admission and  
24 monitored by security personnel. The establishment management shall organize and maintain the patron  
25 queue to:

- 26 1. Be not more than two abreast in a line located

1 parallel to and against the structure;

2 2. Be located only on a commercially zoned street or  
3 private property; and

4 3. Maintain adequate pedestrian passage on the  
5 sidewalk.

6 (r) A licensee may request a permit for the opening of a public event  
7 under this section only once during any 30 day period and may not request events as an ongoing business  
8 activity.

9 (s) A permit must be requested 30 days prior to the advertising of  
10 such event with a \$500 fee.

11 (t) The Director may deny any permit application for any event open  
12 to the public where the director has determined that:

13 (i) the event is marketed primarily to minors;

14 (ii) would constitute teen dance hall activities;

15 (iii) the security plan is determined to be inadequate;

16 (iv) Metro officers are not available to attend an event where  
17 minors are proposed to be present;

18 (v) the applicant has been issued notices of violation or has  
19 outstanding correction notices for any violations of state or local laws or regulations concerning alcohol  
20 sales or title 6;

21 (vi) the proposed event would constitute a public nuisance and  
22 adversely impact the enjoyment of surrounding property.

23 (vii) Any promoter engaged by the establishment is not  
24 properly licensed under Chapter 6.78; or does not conform to the requirements of that chapter.

25 (u) The Director or the Sherriff may immediately suspend any  
26 approved permit or performance open to the public when such event is in violation of the terms of the

1 permit approval, in violation of the conditions of this chapter or the Director or the Sherriff determines that  
2 the event constitutes a danger to patrons or the public.

3 (6) No person who holds a license to sell alcoholic beverages by the drink  
4 may allow any minors to be on the licensed premises of an erotic dance establishment or sexually oriented  
5 business including any dance or performance in which a performer gradually undresses, a display of films,  
6 pictures of certain anatomical areas as defined by 6.06A or performances as defined by Title 19;

7 (7) No person who holds a liquor license to sell alcoholic beverages by the  
8 drink may allow any minors on the premises of a nightclub, allow teenage dance hall activities or within a  
9 lounge area.

10 (8) The director may not approve any public event subject to this section for  
11 patrons under the age of 18 which proposes a closing time after 9:00 pm or to be approved for alcohol sales  
12 unless each minor is being accompanied by a parent or legal guardian and such identification plan is being  
13 monitored by the licensee.

14 SECTION 11: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas,  
15 Nevada, 1983 Edition, is hereby amended to add new sections designated as Sections XXX through XXX,  
16 reading as follows:

17 **6.50.XXX:** Sales of alcoholic beverage sales and service which are not in a restaurant or designated  
18 lounge area are subject to the following provisions:

19 (A) No more than one alcoholic beverage drink shall be served to a patron at one time  
20 for the patron's own consumption.

21 (B) No services of pitchers or carafes, except in conjunction with a meal at a table or  
22 booth or private events.

23 (C) No alcoholic beverages served or sold on the premises shall be allowed to be  
24 removed from the premises.

25 (D) No patron shall be allowed to bring alcoholic beverages onto the premises for  
26 consumption on the premises.

(E) All bars must be kept segregated from any general admission, restaurant, open use and seating areas by a barrier sufficient to prevent access by minors.

(F) Sales are prohibited at any public event which is marketed primarily to minors or open to persons under 18 years of age unaccompanied by a parent or legal guardian.

(G) All alcohol sales must cease one hour prior to the approved ending time of any performance.

**6.50.XXX:** Under a plan approved by the director, a licensed restaurant who holds of a tavern, tavern-limited, urban lounge or Beer/wine bar license may allow minors into an establishment which does not meet the requirements of LVMC 6.50.XXX only when the facility operates a restaurant of at least 30 seats under the following operational restrictions:

(A) Daytime: 5 am to 5 pm – must operate in conjunction with a restaurant of 30 seats and alcohol is served only with meals (unless in a separated bar area) the facility must meet all the requirements and operate under the regulations of a beer/wine on-sale license LVMC 6.50.040.

(B) Evening: 5 pm to 9 pm – must operate as a beer/wine onsale establishment or may operate under the regulations of a “Restaurant with alcohol” – with the exception of the requirement to have 100 seats. The restaurant area must be separated and segregated from any lounge areas and alcoholic beverages may be served with meals only in the restaurant. Such restaurant must have at least 30 seats and all requirements of LVMC 6.50.220 (C), (D), (E), (F) and (G) are required to be met. Minors are not allowed in the lounge area.

(C) Late Night: 9 pm to 5 am – nightclub 21+ only. No requirements for meals and bar operations allowed in all areas.

(D) The times zones designated in subsection 1 and 2 may be extended by condition of license and posting of hours when 21+ restriction is in place.

(E) A licensed resort hotel with an unrestricted gaming license is exempt from these requirements.

SECTION 11: Title 6, Chapter 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition,

1 is hereby amended to add new sections designated as Sections XXX through XXX, reading as follows:

2 **6.50.XXX:** It is unlawful for a licensee to permit the entry of any minor onto the premises of a  
3 nightclub, with the exception that nightclubs which also have restaurants serving meals may permit minors  
4 to patronize the designated restaurant area of their business only, and only between the hours of 6:00 am  
5 and 9:00 pm and only for the purposes of eating meals.

6 **6.50.XXX:** Signs excluding minors from the nightclub must be posted at all entrances and must designate  
7 the restaurant portion of the business during the hours specified in section A.

8 **6.50.XXX:** Nothing in this section precludes a licensee from employing a minor eighteen years of age or  
9 older (young adult) as an entertainer performing in a lounge show or theatre restaurant without violating  
10 NRS 202.030 or NRS 202.060, provided that the young adult departs upon completion of his or her act.

11 **6.50.XXX:** All work permits required per LVMC Title 10.

12 **6.50.XXX:** Security personnel shall be provided at the main entrances and exits whenever the  
13 nightclub is open for business.

14 **6.50.XXX:** Interior Lighting. The interior of the nightclub shall be lit throughout at an intensity of at  
15 least two foot-candle during all hours of operation. The lighting may be reduced while live entertainment  
16 is being presented.

17 **6.50.XXX:** All activities shall be conducted entirely within the enclosed structure, except the  
18 following:

- 19 (A) The checking of patrons' identification;
- 20 (B) Valet parking activities;
- 21 (C) The sale of admission tickets for current or future events;
- 22 (D) An orderly line of patrons waiting for admission. The club management shall

23 organize and maintain the patron queue to:

24 (1) Be not more than two abreast in a line located parallel to and against the  
25 structure;

26 (2) Be located only on a commercially zoned street or private property; and

1 (3) Maintain adequate pedestrian passage on the sidewalk.

2 **6.50.XXX:** An entrance or admission fee may be charged.

3 **6.50.XXX:** Site Planning and Exterior Design.

4 (A) Entrances and Exits.

5 (1) Main pedestrian entrances and exits shall be located only on public streets  
6 in commercial zoning districts.

7 (2) Emergency exits shall be oriented toward commercial streets, unless the  
8 applicant provides substantial evidence, to the satisfaction of the Director, that this cannot be accomplished.

9 (3) All doors at secondary and emergency entrances and exits not oriented  
10 toward commercial streets shall be closed by 10:00 p.m. except during bona fide emergencies.

11 (4) All non-main and emergency entrances and exits not oriented toward  
12 commercially zoned public streets, when used for loading and unloading, shall comply with the  
13 requirements of LVMC Chapter 9.16.

14 (5) Security personnel shall be provided at the main entrances and exits  
15 whenever the nightclub is open for business.

16 (6) A vestibule may be required by the review authority to mitigate noise  
17 impacts.

18 (B) Loading and Receiving Areas. Loading and receiving areas shall be:

19 (1) Located in the area that least impacts adjacent uses; and

20 (2) Screened by a noise and visual buffer (e.g., an enclosure, hedge, or other  
21 appropriate vegetation), when adjacent to a residential zoning district, unless there is substantial proof, to  
22 the satisfaction of the Director, that this cannot be accomplished.

23 (C) Parking Area Lighting.

24 Lighting in all on- and off-site self-parking lots used by the club shall be one foot candle, and shall  
25 remain on until at least one hour after the closing of the nightclub.

26 **6.50.XXX:** Interior Design Requirements.

1 (A) Interior Lighting. The interior of a nightclub shall be lit throughout at an intensity  
2 of at least two foot-candle during all hours of operation. The lighting may be reduced while live  
3 entertainment is being presented.

4 (B) Restrooms. Existing and proposed nightclubs shall include adequate restroom  
5 facilities, as follows.

6 (1) New Nightclubs. Each new nightclub shall have at least two separate  
7 restrooms, one male and one female, with a minimum of two water closets in each. Each male restroom  
8 shall also contain one additional urinal or water closet for every forty male patrons anticipated to occupy  
9 the club at peak usage; and each female facility shall contain one additional water closet for every  
10 additional thirty female patrons or fraction thereof, in excess of thirty, anticipated to occupy the club at  
11 peak usage. At least one lavatory shall be provided for each two water closets or urinals. For purposes of  
12 this requirement, the estimated number of patrons will be based upon the allowed occupancy load of the  
13 facility.

14 (2) Existing Nightclubs. Each existing nightclub with an SCUP issued before  
15 1996 shall maintain the minimum number of restroom facilities as required by its SCUP. Any expansion of  
16 the nightclub shall comply with subsection (C)(2)(a), above.

17 **6.50.XXX:** Limitation on Outdoor Activities.

18 All activities shall be conducted entirely within the enclosed structure, except the following:

- 19 (A) The checking of patrons' identification;
- 20 (B) Valet parking activities;
- 21 (C) The sale of admission tickets for current or future events;
- 22 (D) Eating, drinking, or dancing when specifically allowed outside by a permit issued  
23 by the department;
- 24 (E) Smoking, provided that smoking areas shall comply with the requirements of  
25 Section 19.36.340 (Smoking Areas); and
- 26 (F) An orderly line of patrons waiting for admission. The club management shall

1 organize and maintain the patron queue to:

2 (1) Be not more than two abreast in a line located parallel to and against the  
3 structure;

4 (2) Be located only on a commercially zoned street; and

5 (3) Maintain adequate pedestrian passage on the sidewalk.

6 **6.50.XXX: Operating Requirements.**

7 (A) Conduct of Patrons. The nightclub management shall do the following to  
8 encourage appropriate patron conduct:

9 (1) Make an announcement at closing requesting patrons to respect the  
10 residents of the adjacent residential neighborhoods by being quiet when leaving; and

11 (2) Post signs at locations clearly visible within the club and at both on- and  
12 off-site parking areas, requesting patrons to respect residents of adjacent residential neighborhoods by  
13 being quiet when leaving and reminding patrons of the existence of permit parking districts within the  
14 neighborhoods adjacent to the nightclub.

15 (B) Hours of Operation. The hours of operation for nightclubs shall be determined by  
16 the Planning Commission at the time of approval of the appropriate permit for the use. When reviewing an  
17 application to increase the hours of operation for a particular nightclub, the Commission shall take into  
18 consideration the potential impacts of the use upon adjacent residential uses and residents, occupancy loads  
19 of the use, and the history of past violations of city ordinances or permits which regulate the operations of  
20 the nightclub.

21 (C) Noise. The structure housing the nightclub shall be adequately soundproofed so  
22 that interior noise is not audible beyond the property line with the doors closed.

23 (D) Solid Waste. The management of the nightclub shall:

24 (1) Place and properly maintain solid waste receptacles and recycling bins, in  
25 sufficient numbers and locations to service the needs of the proposed use at peak business periods, in  
26 compliance with Section 19.20.180 (Solid Waste and Recyclable Materials Storage).



1 (2) Ensure that the nightclub property and all areas within at least 100 feet of  
2 the nightclub are free of any waste or litter generated by the nightclub, by 7:00 a.m. following each night of  
3 operations. A larger area may be required by the review authority.

4 **6.50.XXX:** Operating Requirements.

5 (A) Operating hours and approved days for music events shall be limited by a  
6 condition placed on any approved license.

7 (B) Occupancy shall not exceed the approved occupancy limit as approved for the  
8 location.

9 (C) Business must maintain an insurance policy with minimum coverage of  
10 25000/500000 for any accidental death or accident resulting in injury.

11 SECTION 12: Title 6, Chapter 50, Section 360, of the Municipal Code of the City of Las  
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.50.360:** Whenever a permit is required to be obtained for individual alcohol sales or a restaurant is  
14 required to be maintained pursuant to an alcoholic beverage license, each licensee shall include the revenue  
15 of all alcohol sales in the calculation or payment of all fees required subject to 6.04.005. If a permit is not  
16 required to be obtained for individual alcohol sales or a restaurant is required to be maintained pursuant to  
17 an alcoholic beverage license, each licensee shall pay a 1% gross revenue fee on all alcohol sales in  
18 addition to any semi-annual license fees.

19 Each licensee shall pay to the Department in advance, the semiannual license fees set forth in the  
20 following schedule:

21 **TABLE NOT INSERTED AS TABLE IS NOT PROPOSED TO BE AMENDED**

22 Each time-limited special event general licensee shall pay the following license fee for each day (or for  
23 each event, in the case of a multi-day event): One hundred dollars, plus seventy-five dollars for each  
24 additional bar.

25 Each time-limited special event beer/wine/cooler licensee shall pay the following license fee for each day  
26 (or for each event, in the case of a multi-day event): Fifty dollars, plus twenty-five dollars for each

1 additional bar.

2 SECTION 13: If any section, subsection, subdivision, paragraph, sentence, clause or  
3 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
4 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
5 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City  
6 of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph,  
7 sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections,  
8 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

9 SECTION 14: All ordinances or parts of ordinances or sections, subsections, phrases,  
10 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983  
11 Edition, in conflict herewith are hereby repealed.

12 SECTION 15: Whenever in this ordinance any act is prohibited or is made or declared to  
13 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required  
14 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of  
15 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon  
16 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of  
17 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation  
18 of this ordinance shall constitute a separate offense.

19 PASSED, ADOPTED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2014.

20 APPROVED:

21 By \_\_\_\_\_  
22 CAROLYN G. GOODMAN, Mayor

23 ATTEST:

24 \_\_\_\_\_  
25 BEVERLY K. BRIDGES, MMC  
City Clerk

26 APPROVED AS TO FORM:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

Deputy City Attorney, Date

DRAFT

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the \_\_\_\_  
2 day of \_\_\_\_\_, 2014, and referred to a committee for recommendation, the committee  
3 being composed of the following members \_\_\_\_\_;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_\_, 2014, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council as first  
7 introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11 APPROVED:

12  
13 By \_\_\_\_\_  
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 \_\_\_\_\_  
16 BEVERLY K. BRIDGES, MMC  
City Clerk

17

18

19

20

21

22

23

24

25

26